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Niersby certify that the correspondence is being deposited with the U.S. Postal Service with putform postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 9, 2005

(Michael D. Braunstein)

Docket No.: LUZZATTO 3.0-082 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Lorber et al.

Application No.: 09/813,523

: Group Art Unit: 1743

Filed: March 21, 2001

: Examiner: M. T. Cole

For: DIAGNOSTIC METHOD AND APPARATUS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

In response to the official action mailed August 11, 2004, applicant submits the following remarks.